



United States  
Department of  
Agriculture

Forest  
Service



February 2013

# Record of Decision

## Mt. Bachelor Ski Area Improvements Project

**Bend/Ft. Rock Ranger District, Deschutes National Forest  
Deschutes County, Oregon**

Legal Location: T 18S, R9 E, Sections 17-33; Willamette Meridian

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## **RECORD OF DECISION**

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USDA Forest Service  
Bend/Ft. Rock Ranger District, Deschutes National Forest  
Deschutes County, Oregon  
Legal: T 18S, R9 E, Sections 17-33; Willamette Meridian

## **INTRODUCTION**

This Record of Decision (ROD) documents my decision and rationale for the selection of the Proposed Action addressed in the December 2012 *Mt. Bachelor Ski Area Improvements Project Final Environmental Impact Statement* (FEIS). This decision authorizes the implementation of improvements included in Mt. Bachelor ski resort's recently revised master development plan (MDP). The MDP documents analysis of current conditions at the resort and, based on that analysis, outlines anticipated development and management of the resort over the next 10 years. These improvements are intended to enhance the winter and summer recreational opportunities available at the resort and on the Deschutes National Forest (DNF). The FEIS documents the Forest's consideration of alternative ways to meet this need and discloses and compares the environmental effects of the alternatives.

Since 1958, the ski resort has operated under a special use permit (SUP) issued by the USDA Forest Service (Forest Service) and administered by the DNF. The 8,122.3-acre SUP area is located 22 miles southwest of Bend, Oregon.

## **PROJECT BACKGROUND**

The *Land and Resource Management Plan, Deschutes National Forest*, as amended (Forest LRMP), provides primary guidance for SUP administration. Under the terms of the Ski Area Permit Act of 1986, development and operation of ski areas on National Forest System lands is guided by MDPs, which describe existing conditions, identify physical, environmental, and socio-economic opportunities and constraints, establish the permittee's conceptual vision for the ski area, and outline near- to long-term plans for achieving that vision. As a condition of SUP issuance, the Forest Service must review and accept, modify, or deny a ski area's MDP.

MDPs are intended to be dynamic documents, amended or revised periodically to reflect changes in operational opportunities and constraints, skier market demands, or agency administrative requirements. Mt. Bachelor's current MDP, *Mt. Bachelor Master Development Plan 2010* (Ecosign 2010), was reviewed and accepted by the DNF in January 2011.

One component of an MDP is planned development of the ski area's physical infrastructure, some or all of which may lie on National Forest System land and thus require agency approval. When development plans move from the conceptual to the concrete realm, the permittee submits a proposal to the Forest Service describing specific projects that are proposed for implementation, and the agency makes a determination whether to accept the proposal and initiate their decision-making process. If the proposal has the potential to significantly impact the human environment, the agency must analyze and disclose those environmental impacts, in accordance with the National Environmental Policy Act of 1969 (NEPA).

As Mt. Bachelor operates entirely on National Forest System land, all the proposed infrastructural improvements require Forest Service approval prior to implementation. NEPA review formally began with publication of the Notice of Intent to Prepare an EIS in the Federal Register on April 26, 2011.

## **DECISION AND RATIONALE**

I have reviewed the FEIS and the information contained in the project file. I have also reviewed and considered the public comments submitted on this project. I have determined that this documentation provides adequate information to make a reasoned choice among alternatives. It is my decision to select the Proposed Action, including associated disturbed site rehabilitation practices, design criteria, and mitigation measures, as described in the FEIS (see section 2.2).

### **SPECIFICS OF DECISION**

The Proposed Action is described in detail in section 2.2 of the FEIS. Briefly, it consists of the following improvements, all within the existing ski area SUP boundary:

#### Eastside Pod:

- Developing the new Eastside Express lift and associated trails (hereafter referred to as the Eastside pod).
- Constructing a new, lower-elevation catchline delivering skiers to the Eastside Express lower terminal.
- Using selective tree removal and glading to enhance tree skiing opportunities between Eastside pod ski trails and between the existing and proposed lower catchlines.

#### Sunrise Area:

- Replacing the Rainbow lift in a shortened alignment.
- Removing Snowmobile Trail No. 40 from the National Forest Trail System and prohibiting the use of snowmobiles by the public within the Mt. Bachelor ski area boundary except as authorized under special use permit.
- Replacing the Sunrise Express lift.
- Developing the Sunrise Learning Center and Kids Adventure Zone.
- Improving Sunrise base area skier services, including a new lodge, parking lot, and access road.
- Constructing a new water reservoir to provide adequate storage for the new lodge and associated facilities.
- Doubling the capacity of the existing Sunrise base area wastewater treatment system, particularly the drain field.
- Installing a vaulted restroom facility near the base of Skyliner Express.

#### West Village Area:

- Shortening the Red Chair.
- Constructing the Alpine Training Center.
- Adding incrementally to the snowmaking system.

- Removing outdated West Village buildings and expanding the West Village Lodge.
- Moving the tubing hill across the parking lot to the “Old Maid” area.
- Developing a new employee/overflow parking lot.
- Constructing a biomass co-generation facility to provide electrical power and steam heat.

Nordic Center:

- Making minor improvements to the Nordic Center trail network.
- Refurbishing Bob’s Bungalow.

Summer Activities:

- Developing new hiking trails.
- Creating a lift-served, downhill mountain bike park.
- Setting up a canopy tour zipline course.
- Installing a rock climbing structure.

The figures in Appendix A show where these projects are located, and the tables in Appendix B list the disturbances associated with each.

*Resource Protection Measures:* This decision includes all disturbed site rehabilitation practices, design criteria, and mitigation measures described in the FEIS (section 2.2.6), which are listed in Appendix C of this ROD.

*Forest Plan Amendments:* No amendment of the Forest LRMP is required to implement the Proposed Action.

## **REASONS FOR THE DECISION**

My decision to select the Proposed Action was made by considering how well it meets the purpose and need for action, how it responds to key issues, and how it addresses public comments on the DEIS. My review included all pertinent content in the project record, including relevant scientific information, and I considered responsible opposing views. My reason for the decision is discussed in detail under the following headings.

### **Response of the Proposed Action to the Purpose and Need**

The Proposed Action was developed specifically to meet the purposes stated in the FEIS (section 1.4), including the following Forest LRMP standards and guidelines (S&Gs) for areas allocated as Intensive Recreation:

- S&G 11-1. The recreation setting and opportunities provided include the Recreation Opportunity Spectrum (ROS) Categories of Rural and Roaded Natural.
- S&G 11-9. Mt. Bachelor will continue to expand to its approved capacity of approximately 26,000 people each day. In reaching this capacity, the following principals will be maintained ... A balance between lift, lodge, run, and parking capacity ... The mountain will be a center for both alpine and Nordic skiing ... Skier densities will be no more than 4 to 8 skiers/acre in order to maintain the uncrowded feeling for which the area is known.

- S&G 11-10. The experience provided at Mt. Bachelor will be compatible with a ROS category of Rural or Roaded Natural. Specifically this will include a diversity of winter recreation activities that emphasize the Forest setting and provide an introduction to the more rustic natural resource-based recreation opportunities.
- S&G 11-11. Year-round recreation activities will be encouraged. Summer facilities that are compatible with or enhance natural resource based facilities will be permitted.
- S&G 11-12. Mt. Bachelor will continue to grow as an international destination for both alpine and Nordic skiing. Emphasis will be placed on building up the summer program to make Mt. Bachelor a year-round resort.

In order to achieve these purposes, the Proposed Action addresses the following needs.

1. To improve the skiing experience during windy conditions.
2. To balance the capacities and utilization of resort facilities.
3. To segregate user groups and ability levels.
4. To update outdated resort facilities and infrastructure.
5. To maintain adequate snow coverage in specific high-traffic areas.
6. To provide additional summer recreational opportunities.

Based on my review of the FEIS, I find that the Proposed Action addresses these needs adequately. The skiing experience during windy conditions will be improved by construction of the proposed Eastside pod (FEIS section 2.2.1.1); the capacities and utilization of the resort will become more balanced with the proposed improvements at the Sunrise and West Village Base areas (FEIS sections 2.2.2.3, 2.2.2.4, 2.2.3.3); user groups and ability levels will be better segregated (FEIS sections 2.2.2.3, 2.2.3.1); outdated resort facilities and infrastructure will be updated (FEIS sections 2.2.2.1, 2.2.2.2, 2.2.2.3, 2.2.2.4, 2.2.3.3, 2.2.3.5, 2.2.4.2); adequate snow coverage in specific high-traffic areas will be maintained (FEIS section 2.2.3.2); and additional summer recreational opportunities will be provided (FEIS section 2.2.5). By meeting these needs, the Proposed Action will achieve the purposes exhibited by the S&Gs listed above and in section 1.4 of the FEIS.

### **Response of the Proposed Action to the Key Issues**

The only alternative-driving issue identified through scoping and internal interdisciplinary review was the effect of the proposed lower catchline on areas that meet the criteria for potential wilderness (PWA). This concern was reflected in the development of Alternative A and addressed in FEIS section 3.5.1. Under the Proposed Action, due to bisecting existing PWA polygons with the new catchline, 447 acres will no longer meet the inventory criteria for potential wilderness (FEIS section 3.5.1.3.2) equating to 3.3 percent of the PWA in the analysis area and 0.3 percent of the area incorporating adjacent PWA, IRA, and Wilderness. Under Alternative A, 280 acres would no longer meet the inventory criteria for potential wilderness (FEIS section 3.5.1.3.3) equating to approximately 2.1 percent of PWA within the analysis area and 0.2 percent of the area incorporating adjacent PWA, IRA, and Wilderness.

For reasons outlined below (Other Alternatives Considered, Alternative A – No New Catchline), I selected the Proposed Action over the alternative developed to address this issue. I believe the Proposed Action is preferable despite being less responsive to this issue. The amount of acreage surrounding the SUP area that meets the criteria for PWA remains substantial, particularly when considering the adjacent Inventoried Roadless Area outside the SUP boundary (FEIS Figure 3-4).

**Consideration of Public Comment and Other Resource Issues**

In making this decision I considered all comments received during the 45-day public comment period following release of the DEIS on June 1, 2012. The Response to Comments document outlines the comment process, provides our responses to comments, notes all revisions to the FEIS made in response to those comments, and clarifies points made in the FEIS as appropriate. The Response to Comments is included in the FEIS as Appendix A.

Comments on the DEIS resulted in several changes to the FEIS. Based on comments from the Oregon Department of Transportation (ODOT) regarding the transportation analysis (FEIS section 3.5.6), the average number of people per passenger vehicle was raised from 2.5 to 3.5 to more accurately reflect peak-day conditions, and the average number of riders on buses was increased to 40. These adjustments provided a more accurate estimate of the number of vehicles traveling on Hwy. 46 on peak ski days. The transportation analysis was also updated to incorporate the fact that about 40 percent of peak-day traffic comes from Sunriver, merging onto Hwy. 45 where capacity is higher (four lanes instead of two) between the intersection with Hwy. 46 and the West Village Parking lot. The revisions also include additional metrics such as volume/capacity (V/C) ratios for various road segments.

Other changes based on comments on the DEIS are summarized as follows:

- The Proposed Action description (section 2.2) was revised to clarify that Snowmobile Trail No. 40 would be removed from the National Forest Trail System and the use of snowmobiles by the public within the Mt. Bachelor ski area boundary would be prohibited except as authorized under special use permit. The Proposed Action description was also revised to clarify that potential fuel for the biomass plant would otherwise be left to decompose, be used for firewood, or be chipped to use in landscaping or other applications.
- Disturbed Site Rehabilitation Practices, Design Criteria, and Mitigation Measures were added (section 2.2.6) to protect mountain bike trails from damage associated with hard braking on steep turns, to protect the site of a Category B Survey and Manage fungus species that was observed during the 2012 survey period (Appendix C, Figure C-1), and to note that spot checks for northern spotted owls will be required in 2013 and 2014, in accordance with federal protocols.
- Discussion of the complexities considered in estimating greenhouse gas production was added to the air quality analysis (section 3.4.1.3.2).
- Existing roads that are used by bicyclists and thus may be subject to conflicts between pedestrians and bicyclists were identified in the safety analysis (section 3.5.2.2.2).

Other changes made in the FEIS but not based on public comment include the following:

- Results of the second year of protocol surveys for Survey and Manage species and northern spotted owls were added (sections 3.4.4.2.2 and 3.4.5.2.2, respectively).
- Chapter 5, Consultation and Coordination, was updated with information on notice and comment on the DEIS (section 5.3).

I have reviewed these changes and agree with the conclusions regarding the new analysis as presented in the FEIS. Based on the process used to complete the FEIS and the analysis it contains, I believe the Proposed Action responds adequately to public comments and other resource issues.

## **OTHER ALTERNATIVES ANALYZED**

In addition to the selected Proposed Action, two additional alternatives were analyzed in detail. They include the required No-Action Alternative and Alternative A – No New Catchline. Additional alternatives include those considered in the FEIS but eliminated from detailed analysis (FEIS section 2.4).

### **NO-ACTION ALTERNATIVE**

The No-Action Alternative was used to provide a baseline for comparison of the effects of the Proposed Action and other alternatives. Under the No-Action Alternative, no further infrastructural development would take place at Mt. Bachelor. Winter and summer recreational facilities and opportunities would remain as they are today. Exceptions would be previously approved projects, including expanding the ground-level deck at Sunrise Lodge, remodeling of the West Village guest services building, and replacing the adjacent sprung steel administration structure with a new two-story building. These projects were approved in September 2011. The existing ground-level deck at Sunrise Lodge was expanded by 1,600 square feet in October 2011, so that project is considered part of the affected environment and its effects are not addressed in this EIS. The two remaining projects are slated for completion in the next 2 – 3 years.

The existing West Village guest services building would be remodeled inside to provide space for employee lockers, meeting rooms, and offices. The public restrooms would remain in their present location but would be accessible from the exterior entrance only. The exterior of the building would be upgraded to reflect the modified Cascadian architectural style being implemented at the ski area. A new two-story administration building would be constructed east of the guest services building in the same style. The temporary administration building would be removed from the site. These buildings are in the West Village parking lot, so the project would not entail any new ground disturbance.

By not improving the skiing experience during windy conditions, by not balancing the capacities and utilization of resort facilities, by not segregating user groups and ability levels, by not updating outdated resort facilities and infrastructure, by not maintaining adequate snow coverage in certain high-traffic areas, and by not providing additional summer recreational activities, the No-Action Alternative would not meet the purpose and need for action. Therefore, I did not select the No-Action Alternative.

### **ALTERNATIVE A – NO NEW CATCHLINE**

Reflecting concern over fragmentation of undeveloped areas resulting in possible impact on PWA, the alternative of a higher elevation catchline was considered but not carried into in-depth analysis because of factors associated with slope and topography (see FEIS section 2.4.1). Alternative A, however, would eliminate the proposed lower catchline on the east side of Mt. Bachelor entirely to provide a basis for comparing the impacts of the Proposed Action on PWA. Selective tree removal to improve tree skiing between the catchlines would also not occur. (See Appendix A, Figure 2-1.)

As discussed in the FEIS (section 2.2.1.2), the lower catchline would facilitate tree skiing on the eastern flank of the mountain by providing access back to the lower terminal of the proposed Eastside Express lift on a defined and properly graded skiway. Without the lower catchline, return access would be via skier-defined routes through the trees, and the Rescue Road at the base of the slope would be the only clearly demarcated limit to the skiing terrain. The Rescue Road is not graded to allow skiers to glide back to the Sunrise base area.

Action alternatives must address the same stated purpose and need as a proposed action. Alternative A would not adequately address one need noted above (see Response of the Proposed Action to Purpose and Need):

1. To improve the skiing experience during windy conditions.

Wind causes routine closure of the high-elevation lift and frequent closure of the northwest-facing lifts at Mt. Bachelor...Additional lift-served terrain on the more wind-protected, east-facing slopes of Mt. Bachelor is needed to alleviate this constraint. Development of the proposed Eastside pod, *the lower catchline, and the tree skiing opportunity between the two catchlines* address this need. (Emphasis added.)

Elimination of the lower catchline would likely increase the risk of skier stranding and the ski area's resulting rescue efforts, as discussed in the FEIS recreation analysis (section 3.5.2). It could also reduce the numbers of skiers using the naturally gladed terrain below the existing catchline, thus limiting Alternative A's responsiveness to this specific need. However, development of the Eastside pod's lift and trails is the main element addressing this need, and the new lift access would undoubtedly increase tree skiing east of the developed pod even without the new catchline. Alternative A would not address the purpose and need of improving the skiing experience during windy conditions as well as the Proposed Action. More importantly, without the proposed catchline there would be an increase in the number of skiers that become stranded below the existing catchline, which is a safety issue. Therefore, I did not select Alternative A – No New Catchline.

## THE ENVIRONMENTALLY PREFERABLE ALTERNATIVE

Under NEPA, a federal agency preparing an EIS is required to identify the environmentally preferable alternative (40 CFR 1505.2[b]). This is interpreted to mean the alternative that would cause the least damage to the biological and physical components of the environment, and which best protects, preserves, and enhances, historic, cultural, and natural resources (Council on Environmental Quality, *Forty Most Asked Question Concerning CEQ's National Environmental Policy Act Regulations*, 46 Federal Register 18026).

Factors considered in identifying this alternative include: (1) fulfilling the responsibility of this generation as trustee of the environment for future generations, (2) providing for a productive and aesthetically pleasing environment, (3) attaining the widest range of beneficial uses of the environment without degradation, (4) preserving important natural components of the environment, including biodiversity, (5) balancing population needs and resource use, and (6) enhancing the quality of renewable resources. An agency may discuss preferences among alternatives based on relevant factors, including economic and technical considerations and statutory missions (40 CFR 1505.2[b]).

I have determined that the environmentally preferable alternative is Alternative A. A comparison of the Proposed Action and Alternative A can be found in Table S-1 of the FEIS. As mentioned above, the small decrease in the affected PWA is offset by the increased recreational opportunities and safety of having a lower catchline. Therefore, I have decided to select the Proposed Action even though it is slightly less environmentally preferable.

## PUBLIC INVOLVEMENT

Preparation of the FEIS followed the procedures outlined at 40 CFR 1501.7, 40 CFR 1503, and 36 CFR 215. The FEIS (Chapter 5) describes the opportunities for public involvement included in this EIS process, including pre-NEPA activities, public scoping, notice and comment on the DEIS, and distribution of the FEIS. During scoping, comment letters were received from 2 agencies, 4

organizations, and 13 individuals. Comments on the DEIS were received from 3 agencies, 9 organizations, and 16 individuals. I have reviewed these public involvement processes and find them to be consistent with the cited regulations.

## **CONSULTATION WITH GOVERNMENT AGENCIES AND TRIBES**

As part of the scoping and the notice and comment processes for this project, scoping notices and notification of the availability of the DEIS and associated comment period were sent to 53 agency and Tribal representatives on the DNF mailing list. Two agencies provided scoping comments, and three provided comments on the DEIS. Of the latter, one comment letter was from ODOT, and the disposition of their comments is discussed above (see Consideration of Public Comment and Other Resource Issues). The other two agency comments on the DEIS included the standard EPA and the Department of the Interior reviews of the adequacy of the DEIS. Their conclusions, respectively, were as follows:

Because our review did not identify any environmental impacts that should be avoided in order to fully protect the environment, we [the EPA] have rated this EIS as Lack of Objections (LO).

The Department [of the Interior] does not have any comments to offer.

These letters are attached as Appendix D to the FEIS.

Among the other agency mailings, consultation letters were sent to 17 representatives of all Tribes identified by the DNF as having traditional associations with or interest in the project area, including the Klamath Tribes, Burns Paiute Tribe, Confederated Tribes of the Warm Springs, and Confederated Tribes of the Umatilla Reservation (FEIS, sections 5.2, 5.3, and 5.4.1). Government-to-government conferences included discussions of this project. These Tribal governments did not express any concerns about the project.

The State Historic Preservation Office (SHPO) was consulted during project planning following guidelines in the Regional Programmatic Agreement among USDA-Forest Service, the Advisory Council on Historic Preservation, and the Oregon SHPO. In a letter dated February 1, 2012, the SHPO concurred that the project will have no adverse effect on any known cultural resources (FEIS, section 3.5.3.3.2).

The DEIS was filed with the EPA for review pursuant to 40 CFR 1506.9. As noted above, they provided a Lack of Objections rating in their July 16, 2012, letter (FEIS, Appendix A).

Formal consultation with the U.S. Fish and Wildlife Service or National Marine Fisheries Service was not required because the project does not adversely affect individuals or habitat for threatened or endangered plant, wildlife, or fish species (FEIS, sections 3.4.4.3.2 and 3.4.5.2.2). Informal consultation took place between the DNF and the Fish and Wildlife Service on April 13 and December 10, 2012, as documented in the Biological Assessment. A letter of concurrence was received from the Fish and Wildlife Service on January 30, 2013.

## **LEGAL REQUIREMENTS AND POLICY**

In reviewing the FEIS and actions associated with the Proposed Action, I have concluded that my decision is consistent with the following laws and requirements:

**THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)**

NEPA establishes the format and content requirements of environmental analysis and documentation as well as requirements for public involvement and disclosure. This EIS was prepared according to the requirements of NEPA as well as the Council on Environmental Quality and Forest Service regulations regarding its implementation, and therefore complies with NEPA.

**THE NATIONAL FOREST MANAGEMENT ACT (NFMA), THE FOREST LAND AND RESOURCE MANAGEMENT PLAN (FOREST LRMP), AND THE NORTHWEST FOREST PLAN (NWFP)**

The National Forest Management Act (NFMA), an amendment of the Forest and Rangeland Renewable Resources Planning Act of 1974, establishes standards for how the Forest Service manages the national forests, requires the development of land management plans for national forests and grasslands, and directs the Forest Service to develop regular reports on the status and trends of the Nation's renewable resources on all forest and rangelands.

In terms of Forest Plan compliance, a Consistency Review of the Mt. Bachelor MDP against the Intensive Recreation S&Gs included in the LRMP was completed prior to the NEPA analysis. That review found that the MDP was consistent with those S&Gs. Furthermore, each resource-focused section of FEIS Chapter 3 concludes with an assessment of Forest Plan compliance, including applicable S&Gs. For example, section 3.4.2.5 of the FEIS addresses compliance with the Aquatic Conservation Strategies objectives, and section 3.4.5.5 addresses compliance with Survey and Manage Species and other sensitive wildlife species S&Gs. After reviewing these sections, I find this decision to be consistent with all applicable direction in the Forest LRMP and the NWFP and with NFMA.

**THE PRESERVATION OF AMERICAN ANTIQUITIES ACT OF JUNE 1906 AND THE NATIONAL HISTORIC PRESERVATION ACT (NHPA) AND THE OREGON STATE HISTORIC PRESERVATION OFFICER (SHPO)**

The SHPO was consulted during project planning following guidelines in the Regional Programmatic Agreement among USDA-Forest Service, the Advisory Council on Historic Preservation, and the Oregon SHPO. In a letter dated February 1, 2012, the SHPO concurred that the project will have no adverse effect on cultural resources due to the paucity of known cultural resources and the low probability for unknown cultural resources to be present within the SUP (FEIS section 3.5.3.3.2). Based on these considerations, the Proposed Action complies with the NHPA, as confirmed by the SHPO.

**THE ENDANGERED SPECIES ACT OF 1973, AS AMENDED (ESA)**

The analysis of potential impacts on federally listed plant and wildlife species is documented in sections 3.4.4.3.2 and 3.4.5.2.2 of the FEIS, respectively, and in the Biological Assessment prepared for this analysis (and incorporated by reference). To summarize, about 6 acres of a forest type that includes whitebark pine, a candidate for federal listing, would be cleared or graded under the Proposed Action, which would impact individuals but would not contribute toward a trend toward federal listing or loss of viability to the population or species. The Proposed Action would also result in the removal of 130.8 acres of northern spotted owl dispersal habitat, but would not affect nesting, roosting, and foraging habitat or any designated critical habitat units. Consequently, the Proposed Action may affect but is unlikely to adversely affect the threatened northern spotted owl. Through consultation with the U.S. Fish and Wildlife Service, these conclusions and the analysis leading up to them demonstrate compliance with the ESA.

## **THE CLEAN WATER ACT, 1982 (CWA) AND SECTION 303(D)**

The CWA establishes a non-degradation policy for all federally proposed projects. The objective of the CWA is to restore and maintain the chemical, physical, and biological integrity of all waters of the U.S. in order to protect their beneficial uses – in this case, those assigned by the Oregon Department of Environmental Quality (ODEQ). Beneficial uses reflect resources or activities that would be directly affected by a change in water quality or quantity.

As noted in sections 1.7 and 3.4.3 of the FEIS, the project area includes no live water and has no surface hydrologic connectivity with waters outside the project area. These factors limit the scope of potential impacts on water quality. The disturbed site rehabilitation practices, design features, and mitigation measures (FEIS, section 2.2.6) include a requirement for DNF-approved site rehabilitation plans incorporating BMPs, including those described in *Ski Area BMPs: Guidelines for Planning, Erosion Control, and Reclamation* (Forest Service 2001a). However, given the lack of surface water and hydrologic connectivity, such mitigative considerations bear more on soil loss and productivity than water quality.

The only issue addressed in the water and watershed resources analysis (section 3.4.3) that falls under the purview of the CWA is the potential for groundwater contamination associated with the proposed parking lots and drain field expansion. As this analysis concludes, no reduction in groundwater quality would occur as a result of these actions under the Proposed Action (section 3.4.3.3.2).

FEIS Table 1-1 identifies responsibilities of other agencies regarding compliance with the CWA, including the EPA and Corps of Engineers. Based on the conclusions noted above and the fact that there are no wetlands in the project area, the only relevant responsibility is EPA review of pertinent findings of this EIS, as discussed above (see Consultation with Other Agencies and Tribes).

With the Consolidated Appropriations Act (2012, § 429, Pub. L. No. 112-74, 125 Stat. 786 1046-1047), Congress has temporarily suspended the permitting requirement imposed by the Ninth Circuit Court of Appeals' decision in *Northwest Environmental Defense Center (NEDC) v. Brown*. In *NEDC v. Brown*, the court held that stormwater runoff associated with logging roads is not exempt from the National Pollution Discharge Elimination System (NPDES) permitting requirements of the Clean Water Act. At this time, it is uncertain whether any NPDES permitting requirements apply, or will apply in the future, to stormwater discharges from any logging roads associated with this project.

Based on these considerations, I find that the Proposed Action complies with the CWA.

## **THE CLEAN AIR ACT (CAA)**

The CAA is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes EPA to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emissions of hazardous air pollutants. FEIS section 3.4.1 documents a thorough analysis of the Proposed Action's potential impacts on air quality, including compliance with NAAQS. Beyond that, the DNF will follow the direction of the Oregon State Forester in conducting prescribed burning in order to achieve strict compliance with pertinent aspects of the CAA and the Oregon Smoke Management Plan. Based on these considerations, the Proposed Action complies with the CAA.

## **CIVIL RIGHTS AND ENVIRONMENTAL JUSTICE**

Executive Order 12898 on environmental justice requires federal agencies to identify and address any disproportionately high and adverse human health or environmental effects on minority and low

income populations. The analysis focuses on potential effects from the project to minority populations, disabled persons, and low-income groups.

After evaluating the environmental justice discussion in the FEIS, section 3.7.8, I have determined that the Proposed Action would not result in any civil rights impacts on Forest Service employees, visitors to Mt. Bachelor, or the general public. All would be free from reprisal or discrimination based on race, color, national origin, sex, religion, age, disability, sexual orientation, marital or familial status, political beliefs, parental status, receipt of public assistance, or protected genetic information. Furthermore, the Proposed Action would not have a disproportionately high or adverse effect on minority or low-income populations.

Based on these considerations, the Proposed Action complies with pertinent civil rights regulations and Executive Order 12898.

## **IMPLEMENTATION**

Implementation is scheduled to begin in the summer of 2013 and be completed within 10 years. Mt. Bachelor's MDP breaks this planning horizon into two phases, the short-term (1 – 4 years) and the medium term (4 – 10 years). The main short-term priority projects are development of the Eastside pod and associated infrastructure, relocating the tubing hill, and starting development of projects associated with summer activities, including the mountain bike park. Medium-term priorities are base-area improvements at both Sunrise and West Village, snowmaking improvements, and development of the Alpine Training Center and associated facilities. The biomass plant project may be scheduled in either the short- or medium-term depending on the outcome of ongoing feasibility analyses and financing discussions. The actual phasing of specific projects is subject to change on the basis of funding availability, changes in skier market preferences, and other unforeseeable variables.

Minor changes to authorized projects may be made during implementation to better meet on-site resource management and protection objectives. In determining whether and what kind of further NEPA action is required, we will consider the criteria to supplement an existing EIS in 40 CFR 1502.9(c) and FSH 1909.15, sec. 18. In particular, we will consider whether any proposed change is a substantial change to the intent of the Proposed Action as planned and already approved, and whether the change is relevant to environmental concerns. Connected or interrelated proposed changes regarding particular areas or specific activities will be considered together in making this determination. The cumulative impacts of these changes will also be considered.

Minor adjustments to project boundaries may be needed during final layout for resource protection, to improve recreation safety, or to better meet the intent of my decision. Many of these minor changes will not present sufficient potential impacts to require any specific documentation or action to comply with applicable laws.

## **APPEAL RIGHTS**

This decision is subject to appeal pursuant to 36 CFR 215. The 45-day appeal period begins the day following the date the legal notice of this decision is published in *The Bulletin*, Bend, Oregon. Only individuals or organizations that submitted comments during the 45-day comment period, which began with publication of the Notice of Availability of the DEIS in the Federal Register on June 1, 2012, may appeal. Notices of appeal must meet the requirements of 36 CFR 215.14. Appeals can be submitted in several forms, but must be received by the Appeal Deciding Officer, the Regional Forester, within 45 days from the date of publication of the notice of the decision in *The Bulletin*, Bend, OR. Appeals may be:

- Mailed to: Appeal Deciding Officer, Pacific Northwest Region, USDA Forest Service, Attn. 1570 Appeals, PO Box 3623, Portland, OR 97208-3623;
- Emailed to: [appeals-pacificnorthwest-regional-office@fs.fed.us](mailto:appeals-pacificnorthwest-regional-office@fs.fed.us). Please put APPEAL and the project name in the subject line. Electronic appeals must be submitted as part of an actual e-mail message, or as an attachment in Microsoft Word (.doc), rich text format (.rtf), or portable document format (.pdf) only. E-mails submitted to addresses other than the ones listed above or in formats other than those listed above or containing viruses will be rejected. It is the responsibility of the appellant to confirm receipt of appeals submitted by electronic mail. For electronically mailed appeals, the sender should normally receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive an automated acknowledgement of the receipt of the appeal, it is the sender's responsibility to ensure timely receipt by other means;
- Delivered to: Pacific Northwest Regional Office, 333 S.W. First Avenue, Robert Duncan Plaza Building, Portland, Oregon 97204-3440 between 7:45 AM and 4:30 PM, Monday through Friday except legal holidays; or
- Faxed to: Regional Forester, Attn: 1570 APPEALS at (503) 808-2339.

## FURTHER INFORMATION AND CONTACT PERSONS

Project records are on file at the Bend/Ft. Rock Ranger District office at 63095 Deschutes Market Road, Bend, OR. The Final EIS is also available on the internet at [http://www.fs.fed.us/nepa/nepa\\_projects?forest=110601](http://www.fs.fed.us/nepa/nepa_projects?forest=110601).


For additional information concerning the specific activities authorized by this decision or the appeal process, you may contact:

Amy Tinderholt  
Recreation, Special Uses, and Wilderness Team Leader  
Bend/Ft. Rock Ranger District  
63095 Deschutes Market Road  
Bend, OR 97701  
(541) 383-4708

Kevin Larkin  
District Ranger  
Bend-Ft. Rock Ranger District  
63095 Deschutes Market Road  
Bend, OR 97701  
(541) 383-4760

## RESPONSIBLE OFFICIAL

The Supervisor of the DNF is the official responsible for this decision.

  
JOHN ALLEN  
Forest Supervisor  
Deschutes National Forest

2-5-2013  
Date

## **APPENDIX A – PROPOSED ACTION FIGURES**

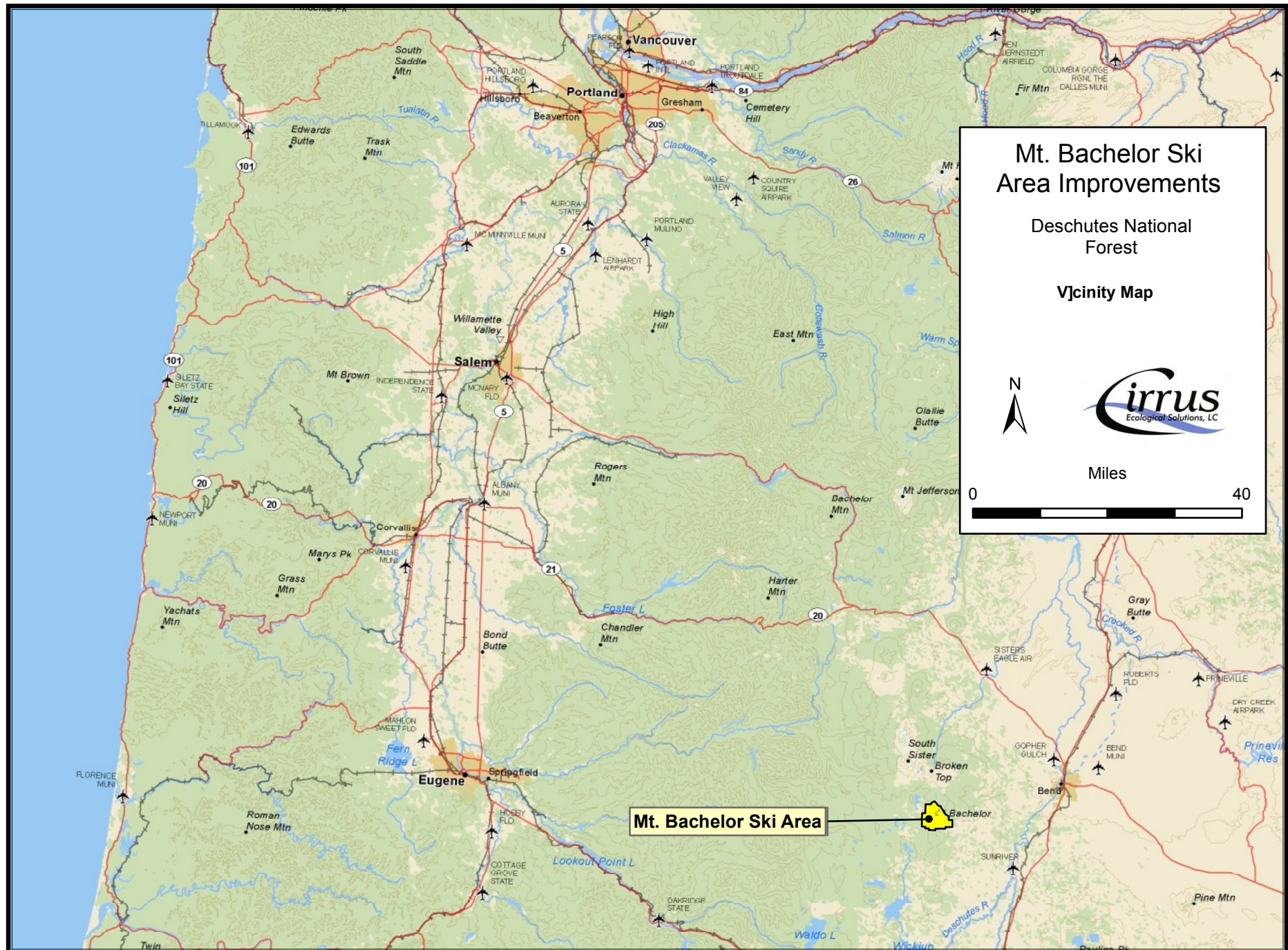


Figure 1-1. Location Map.  
A-2

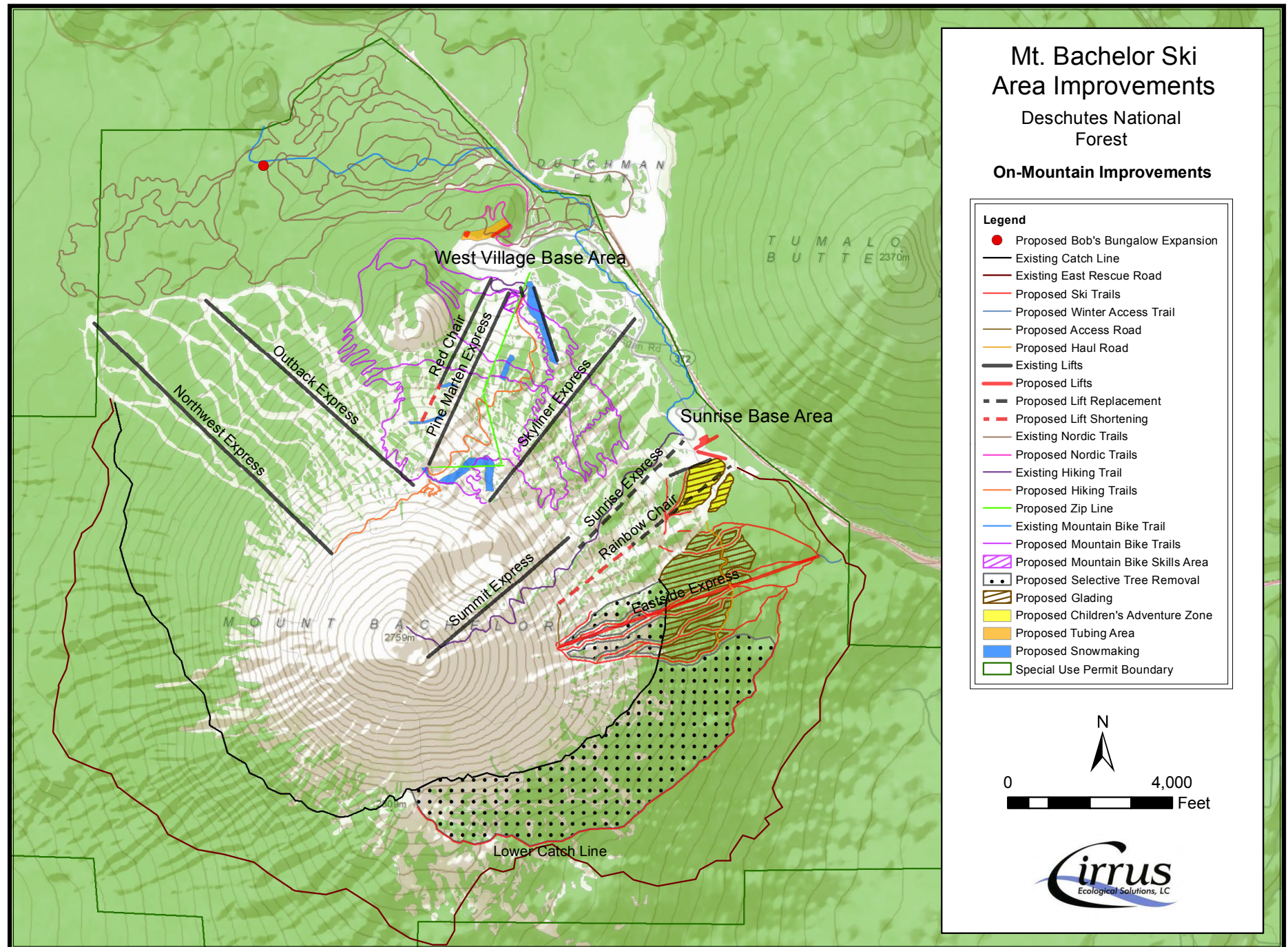


Figure 2-1. On-mountain improvements.

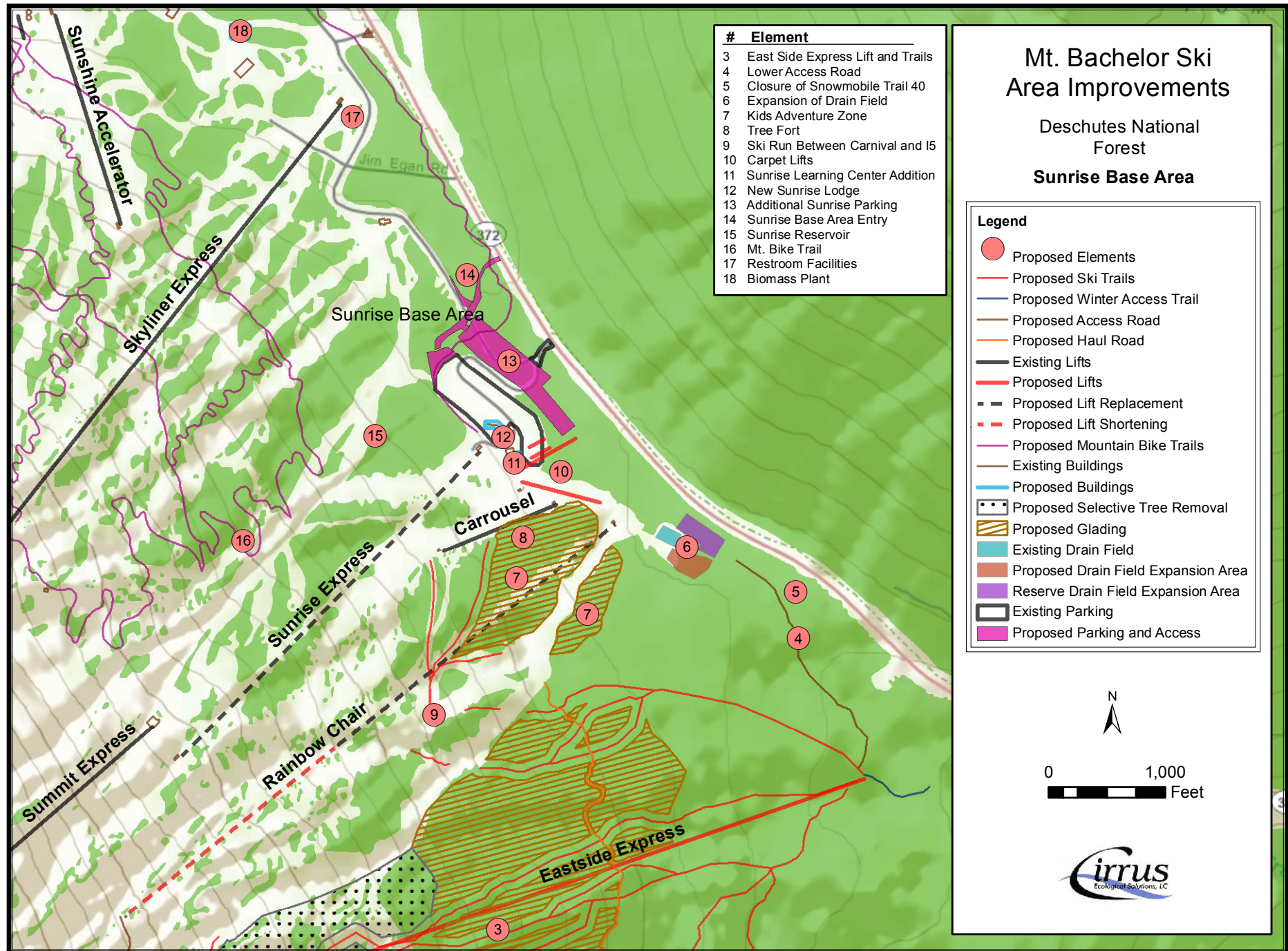


Figure 2-2. Sunrise base area improvements.

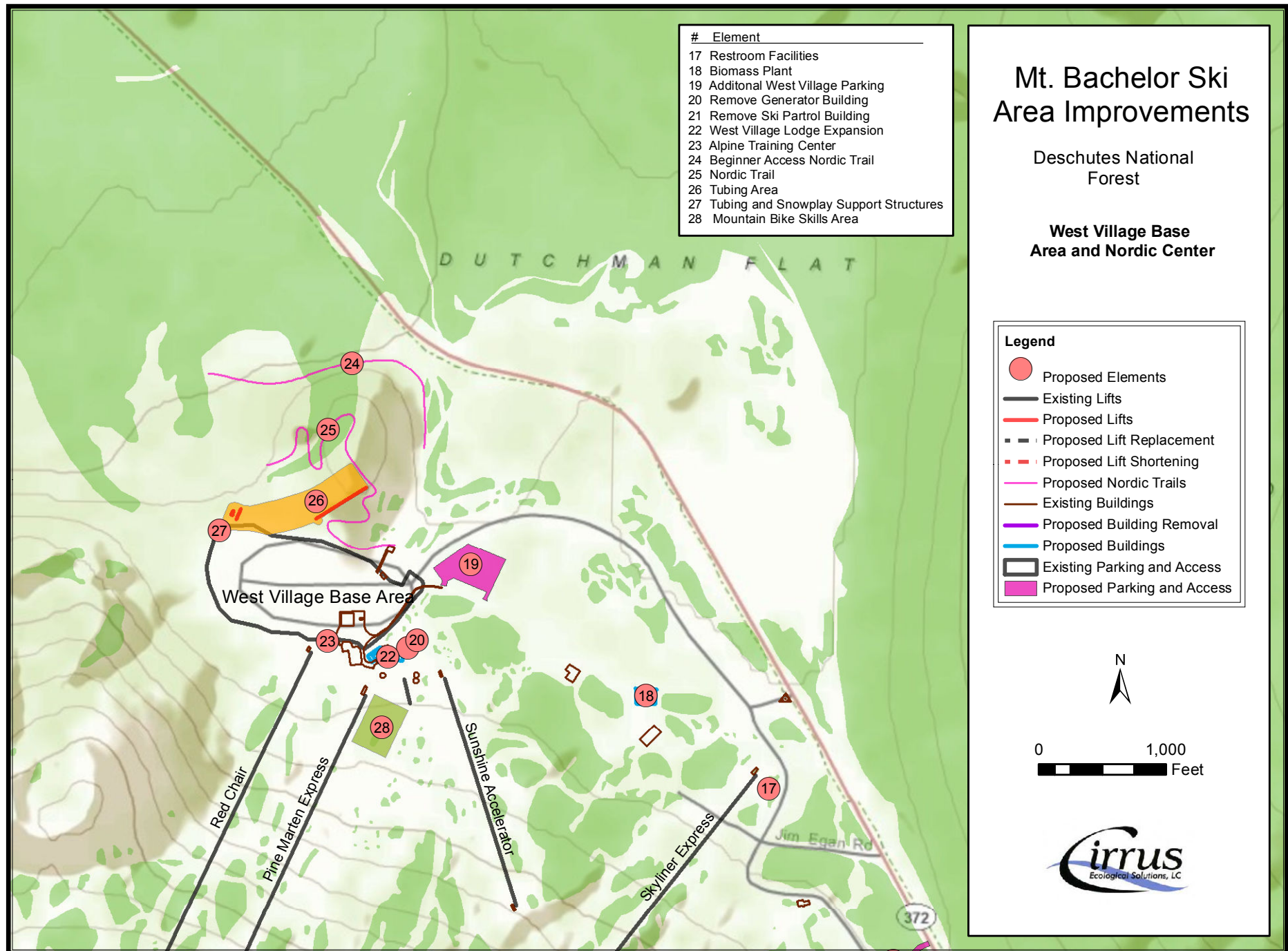


Figure 2-3. West Village base area improvements.

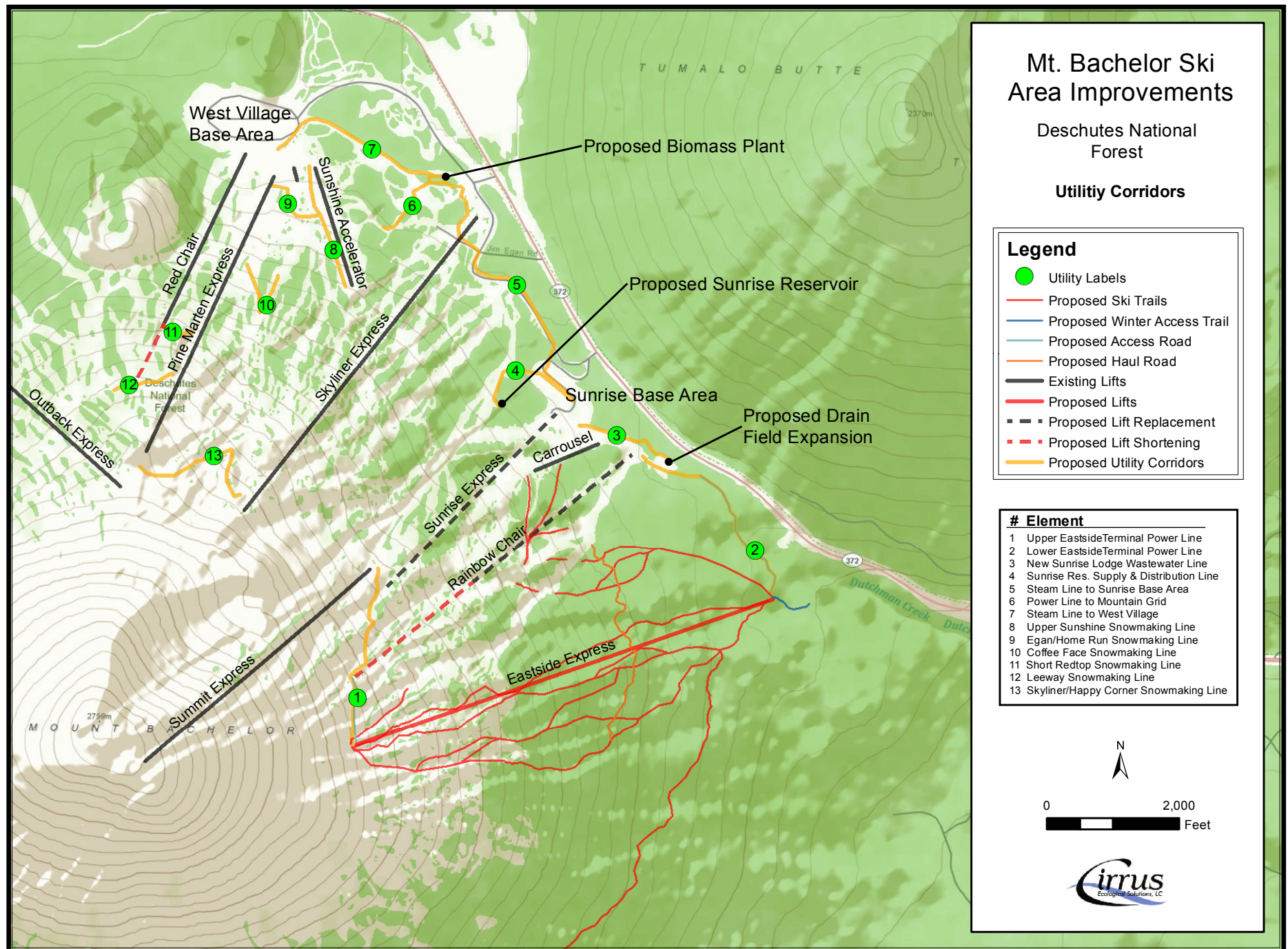


Figure 2-4. Utility Corridors.

## APPENDIX B – PROJECT DIMENSIONS, DISTURBANCE ACREAGES

<b>Table B1. Typical disturbance dimensions<sup>1</sup> by project type.</b>		
<b>Project Type</b>	<b>Disturbance Dimensions</b>	<b>Disturbance Type</b>
Chairlifts:		
Alignment Clearing	60-foot width	Clearing
Terminals	100 x 200 feet	Excavation
Towers	25 x 25 feet	Excavation
Carpet Lifts	25-foot width	Grading
Ski Trails	150-foot maximum width	Grading
Tree and Glade Skiing	Actual acreage	Selective Tree Removal or Glading
Nordic Trails (tread width + 20 ft)	36-foot width	Grading
Hiking Trails (1.5 x tread width)	4.5-foot width	Grading
Mountain Bike Trails (1.5 x tread width):		
Single Track	4.5-foot width	Grading
Excavated	7.5-foot width	Grading
Zipline:		
Alignment Clearing	30-foot width	Selective Tree Removal
Towers	25 x 25 feet	Excavation
Access Roads (tread width + 20 ft)	36-foot width	Grading
Buried Utility Lines	15-foot width	Excavation
Buildings and Other Infrastructure	Footprint size plus 50-foot construction buffer	Excavation
<sup>1</sup> These are the dimensions of construction-related disturbance, not the finished dimensions of projects.		

<b>Table B2. Disturbance area, type, and land cover by project.</b>					
	<b>Width (ft)</b>	<b>Length (ft)</b>	<b>Area<sup>1</sup> (ac)</b>	<b>Disturbance Type<sup>2</sup></b>	<b>Land Cover Type (ac)</b>
<b>Eastside Express Lift</b>					
Lift corridor	60	6,725	9.3	Clearing	Mountain. Hemlock 5.5 Natural Non-Forested 3.3 Mixed Conifer 0.4 Lava 0.1
Upper Terminal	100	200	0.5	Excavation	Natural Non-Forested 0.4 Lava 0.1
Lower Terminal	100	200	0.5	Excavation	Mountain Hemlock 0.5
Towers (est. 25)	25	25	0.4	Excavation	Mountain Hemlock 0.3 Natural Non-Forested 0.1
Lower access road	36	2,260	1.9	Grading	Mountain Hemlock 1.9
Upper access road	36	1,075	0.9	Grading	Natural Non-Forested 0.8 Lava 0.1
<b>Eastside Express Trails</b>					
Ski trails (50 – 150 ft; avg. 75 ft)	150	42,918	139.5	Grading	Mountain Hemlock 75.4 Natural Non-Forested 32.6 Mixed Conifer 20.1 Lava 3.4 Ski Trail 8.0
Tree skiing: Sparsely forested areas	-	-	433.3	Selective Removal	Mountain Hemlock 318.2 Natural Non-Forested 112.3 Mixed Conifer 1.9 Ski Trail 0.9
More heavily forested areas	-	-	73.1	Glading	Mountain Hemlock 68.6 Mixed Conifer 3.7 Natural Non-Forested 0.5 Ski Trail 0.3
Lower catchline	36	13,440	10.8	Grading	Mountain Hemlock 7.8 Natural Non-Forested 1.9 Mixed Conifer 1.1
Haul Road	36	3,750	3.4	Grading	Mountain Hemlock 2.3 Mixed Conifer 1.0 Ski Trail 0.1
Snowcat cutoff trail	30	645	0.4	Clearing	Mountain Hemlock 0.4

<b>Table B2 (cont'd). Disturbance area, type, and land cover by project.</b>					
	<b>Width (ft)</b>	<b>Length (ft)</b>	<b>Area<sup>1</sup> (ac)</b>	<b>Disturbance Type<sup>2</sup></b>	<b>Land Cover Type (ac)</b>
<b>Rainbow Lift Shortening</b>					
Lower Terminal	100	200	0.5	Excavation	Ski Trail 0.5
Upper Terminal	100	200	0.5	Excavation	Ski Trail 0.5
Towers (max. 5)	25	25	0.1	Excavation	Ski Trail 0.1
<b>Sunrise Lift Replacement</b>					
Lower Terminal	100	200	0.5	Excavation	Developed 0.5
Upper Terminal	100	200	0.5	Excavation	Natural Non-Forested 0.5
Towers (max. 5)	25	25	0.1	Excavation	Ski Trail 0.1
<b>Sunrise Base Area</b>					
Expand existing lodge	-	-	0.1	Excavation	Developed 0.1
New lodge	-	-	1.4	Excavation	Developed 1.4
Moving carpet 12a	25	690	0.6	Grading	Ski Trail 0.4 Developed 0.1 Mountain Hemlock 0.1
Moving carpet 12b	25	600	0.2	Grading	Developed 0.1 Mountain Hemlock 0.1
Moving carpet s1	25	150	0.1	Grading	Developed 0.1
Moving carpet s2	25	185	0.1	Grading	Developed 0.1
Kids Adventure Zone	-	-	23.0	Grading	Mountain Hemlock 19.5 Ski Trail 3.5
Sunrise reservoir	80	80	0.1	Excavation	Mountain Hemlock 0.1
Drain field expansion	-	-	1.4	Excavation	Mountain Hemlock 1.1 Developed 0.3
Reserve drain field expansion	-	-	1.7	Excavation	Mountain Hemlock 1.6 Developed 0.1
Restrooms at base of Skyliner	-	-	0.1	Excavation	Developed 0.1
<b>Sunrise Base Parking Expansion</b>					
Existing parking lot expansion	-	-	0.8	Grading	Mountain Hemlock 0.7 Ski Trail 0.1
New parking lot	-	-	6.2	Grading	Developed 0.9 Mountain Hemlock 5.3

<b>Table B3. Acres of disturbance by disturbance type and land cover type, Proposed Action.</b>						
	<b>Selective Tree Removal</b>	<b>Glading</b>	<b>Clearing</b>	<b>Grading</b>	<b>Excavation</b>	<b>Total</b>
Mountain Hemlock	318.9	88.1	6.0	111.7	6.0	530.7
Natural Non-Forested	113.8	0.5	3.3	37.1	3.2	157.9
Mixed Conifer	1.9	3.7	0.4	22.1	0	28.1
Ski Trail	3.4	3.9	0	11.9	6.0	25.2
Developed	0	0	0	3.8	6.2	10.0
Lava	0	0	0.1	3.7	0.4	4.2
Lodge Pole Pine	0	0	0	0.1	0	0.1
Total	438.0	96.2	9.8	190.4	21.8	756.2

## **APPENDIX C – DISTURBED SITE REHABILITATION PRACTICES, DESIGN CRITERIA, AND MITIGATION MEASURES**

Under the Proposed Action or Alternative A, disturbed site rehabilitation would be guided by a site-specific erosion control and rehabilitation plan prepared for each project or group of similar projects in close proximity that are to be completed in the same timeframe. These plans would reflect Best Management Practices (BMPs), including those described in *Ski Area BMPs: Guidelines for Planning, Erosion Control, and Reclamation* (Forest Service 2001a) and would be approved prior to project implementation by the DNF. Since there is no live water within the permit area, with the exception of Todd Creek which is up gradient from any project-related disturbance, design criteria and rehabilitation practices specific to stream hydrology and water quality are limited.

The following design criteria and mitigation measures would be employed to create a sustainable program and minimize impacts on soil, vegetation, and wildlife during construction and maintenance of the proposed hiking and mountain bike park infrastructure:

- Forest clearing in the proposed trail corridors will be reduced to the extent practical through careful trail layout and design.
- All trails will be designed to avoid the cutting of trees with a diameter at breast height (dbh) greater than 8 inches to reduce impacts on upland forest, including whitebark pine. Trails will be routed around large trees and, where possible, around the roots of large trees to prevent root damage.
- A review of proposed hazard tree or down wood removal along the trails will be conducted by Mt. Bachelor and the Forest Service Permit Administrator prior to implementation. Hazard trees that must be felled will remain on site for habitat purposes, where this is consistent with fuel management objectives. For example, if a tree is felled across a trail or down wood crosses a trail, a section of the log will be cut out to allow riders to proceed along the trail, leaving the rest of the log in place for the ecological/ecosystem functions it provides and to confine riders to the trail.
- Trail corridors will be grubbed (cleared of organic materials) in order for the trail surface to consist solely of quality mineral soil. Grubbed organics (moss/heather) will be used to re-vegetate off-trail disturbed areas.
- If any populations of special-status plant species or cultural resources are encountered during the construction process, work will be suspended in that area until the Forest Service Permit Administrator is consulted.
- Culverts (minimum 12 inches) or bridges will be used to cross channels where seasonal flow is expected, (site specific). In crossing any channels where water is not expected but possible, culverts (minimum 6 inches) will be used.
- The spacing of surface water control structures along the length of the trail network will be per Forest Service Handbook guidelines at a minimum. The spacing of surface water control structures (e.g., grade reversals, drain dips, water bars) along trails within 200 feet of a channel crossing would be no less than 50 feet to minimize extension of the drainage network and to minimize sediment delivery to channels.

- Wood features (e.g., ladder bridges, boardwalks), native soil causeways, and/or rock armoring will be incorporated into trails to avoid impacting sensitive resources such as steep slopes, tree roots, vegetation, and wet areas. Wood materials will be sourced from local suppliers and will be free of invasive species.
- Disturbed-site rehabilitation may include topsoil replacement, planting, seeding, and fertilization where appropriate.
- Disturbed areas will be surveyed annually to ensure success of rehabilitation efforts. If seeding or other rehabilitation efforts are not successful, the Forest Service Permit Administrator will be contacted and a site-specific, alternative, rehabilitation solution will be developed.
- Bike park staff will continuously monitor the park to ensure that rehabilitated areas are not disturbed or to remedy disturbance to rehabilitated areas.
- Bike park staff will continuously monitor trail conditions in the park to ensure that erosion or sediment mobilization away from trail corridors is not occurring and/or to implement corrective action in accordance with the project design criteria. Steep turns, with potential for damage due to hard braking, will be a particular area of focus.
- Bike park staff will inspect the park trails each day to locate wet soil areas or mud puddles. If such problems persist, affected trails will be closed until conditions change or crossed, if necessary, using a combination of raised mineral soil causeways, raised wooden boardwalks, and/or rock armoring. If wet conditions are widespread, the entire park will be closed.
- Bike park staff will continuously monitor the park to ensure that unauthorized trails or terrain features are not created by riders.
- Bike park trails will be closed to hikers and other users and will be continuously monitored by bike park staff to ensure compliance.
- If conflicts between hikers and cross-country bikers on trails outside the mountain bike park becomes an issue, Mt. Bachelor will implement measures to better separate user groups, including designation of hiking and bike lanes on access roads and designation of hiker-only and mountain biker-only routes.

The following design criteria and mitigation measures will be employed to minimize the visual impact of the proposed improvements and develop a consistent architectural theme for resort buildings:

- Overall development will be guided by the Forest Service's *Landscape Aesthetics, A Handbook for Scenery Management* (Forest Service 1995).
- Building construction will be consistent with guidance in *The Built Environment Image Guide for the National Forests and Grasslands* (Forest Service 2001b).
- Forest clearing in the proposed trail corridors will be minimal with care to preserve landscape character, scenic quality, and aesthetics through careful trail layout and design.

The following design criteria and mitigation measures will be employed to minimize the impacts of the proposed improvements on wildland fire potential and fuel loading:

- Slash created by the construction or expansion of parking areas and construction or relocation of buildings, chairlifts, ski trails, and the catchline will be disposed of either through utilization, burning, chipping, mastication, or removal from the site within a specified timeframe.

- Areas surrounding structures, including the biomass plant and biofuel storage area, will be treated to create a defensible space and reduce ladder fuels that support the spread of wildland fires. Defensible space is defined as an area, either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared, or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur. Ladder fuels are living or dead vegetation that allow a fire to climb from the forest floor to the tree canopy.
- Treatments for naturally occurring and activity-generated fuels may include a combination of ladder fuel reduction, mechanical shrub treatment, and hand or machine piling of slash. Any proposed operations that include the burning of slash will be coordinated with DNF Fire Management personnel.

The following design criteria and mitigation measures will be employed to minimize impact on forest habitats, particularly old growth and whitebark pine:

- In areas subject to selective tree removal, trees greater the 8 inches dbh, regardless of species, will not be removed unless they are hazard trees.
- In areas subject to glading, trees greater the 21 inches dbh, regardless of species, will not be removed unless they are hazard trees.
- In areas subject to selective tree removal or glading, whitebark pine trees will not be removed unless they are hazard trees.
- The DNF may collaborate with Mt. Bachelor to plant rust-resistant whitebark pine seedlings in stands affected by insects or disease that are outside areas of proposed development.

The following design criteria and mitigation measures will be employed to minimize the potential for the proposed improvements to result in the introduction or spread of noxious weeds:

- Pre-construction inventories will be conducted to determine if invasive plants exist within the project area, including roads within the project boundary.
- The Proposed Action will be implemented in coordination with the District invasive plant specialist to plan for the long-term management of known infestations of invasive plants and to prevent the spread of infestations.
- All construction equipment and vehicles used will be cleaned and certified free of noxious weeds and their seeds prior to entrance onto the DNF. This restriction will include equipment and vehicles intended for both on- and off-road use, whether they are owned, leased, or borrowed by either contractors or subcontractors.
- Contractor will furnish proof to the DNF that equipment is weed free.
- When any non-passenger vehicle (vans or pickups) or equipment leaves the project area, it will be cleaned and re-certified before it re-enters the DNF.
- Soil disturbance will be minimized, and existing topsoil will be conserved for replacement.
- Where possible, native vegetation will be retained.
- Native plant materials will be used in revegetation efforts.
- Skid trails will be avoided or minimized, and no landings will be created (existing or proposed openings with road access will be used).

- Any fill material proposed for the project, including any imported topsoil, will be first inspected by the invasive plant specialist to determine if it is weed-free, from a certified source, and thus safe to bring onto the DNF.
- Any straw bales, chips, or other imported mulch used in conjunction with the Proposed Action will come from a certified weed-free source.
- Native plant materials and site design principles for aesthetics will be used in revegetation efforts.
- The following design criteria and mitigation measures will be employed to minimize the potential for adverse impacts on northern spotted owls:
- Activities involving chainsaws, heavy equipment, aircraft, or blasting within specified distances (see Table 38, Programmatic BA, Forest Service 2010b) of any existing or newly identified northern spotted owl activity centers (i.e. home ranges) will be postponed until after the breeding season (March 1 to September 30).
- Northern spotted owl spot check surveys will be completed in 2013 and 2014 as per the 2012 FWS revision to the 2011 northern spotted owl survey protocol (FWS 2012).
- The following design criteria and mitigation measures will be employed to minimize the potential for adverse impacts on any previously undiscovered cultural resources due to the proposed improvements:
- If any previously unidentified prehistoric or historic cultural resources are identified or encountered at any time during the implementation of the MDP, efforts shall be made to protect the resource(s) until the Forest Archaeologist is notified and the Forest Service fulfills its consultation requirements, including consultation with the appropriate Tribal representatives so that Tribal concerns will not be overlooked. If unmarked human remains are encountered at any time during implementation of the MDP, all work in the vicinity of the find shall cease, with the remains covered and protected in place, and the Forest Archaeologist notified immediately to begin proper notification and consultation procedures with the Oregon State Archaeologist, Native American Tribes, and other local officials as needed (e.g., county coroner) to determine to what time period and ethnic group the skeletal material may be ascribed and the appropriate treatment, as detailed in the Forest LRMP CR-8.
- If any previously unidentified Traditional Cultural Places or sacred sites are identified or encountered at any time during the implementation of the MDP, efforts shall be made to protect the resource until the Forest Archaeologist is notified and the Forest Service fulfills its consultation requirements, including consultation with the appropriate Tribal representatives so that Tribal concerns will not be overlooked.

The following design criteria and mitigation measures will be employed to manage the site on the proposed Eastside lift lower terminal access road (see Figure C-1) where a Category B Survey and Manage fungus species was located during 2012 surveys:

- The fungus location will be protected with a 150-foot-radius buffer. (The term “site” will be considered the actual location plus this buffer.)
- All but the easternmost end of the proposed access route which crosses the site will be developed and maintained as a winter snowcat access and skiway only, with a maximum width of 30 feet.
- The summer access road for lift construction, maintenance, and powerline installation will be shifted east, connecting the existing Rescue Road and the lower terminal site. The road

corridor will be a maximum of 36 feet wide. This road will overlap the eastern end of the winter access route, beyond the fungus site.

- Along the 300-foot section of the winter access route crossing the site, snowcats or other similar, low ground pressure, over-the-snow equipment will be the only machinery allowed. A minimum of 12 inches of compacted snow on the access route across the site will be required before this machinery can cross. Snow may be hauled in to achieve this depth
- Trees removed to create the access route across the site will be hand felled. If heavy equipment is needed, it will be used only when there is a minimum of 12 inches of compacted snow over the site. Trees felled over the entire alignment will be left on site. Trees may be moved out of the access route prism.
- Small trees felled to create the alignment will be hand placed and retained over the site in order to further protect and enhance it. This will occur in such a manner that no soil disruption or compaction occurs. No heavy machinery will be used for this task.
- There will be no grubbing of stumps from the site. Flush-cutting the stumps in the spring (i.e., snow-free conditions) by hand will be allowed.
- Snowcats will not be allowed to cross the site until the Forest Service approves it annually, prior to the first use of the season.
- Mt. Bachelor will monitor the site at least once each summer to determine if disturbance is occurring to the site, and will send a status report (an email is sufficient) by August 31 to the District's special uses coordinator and botanist.

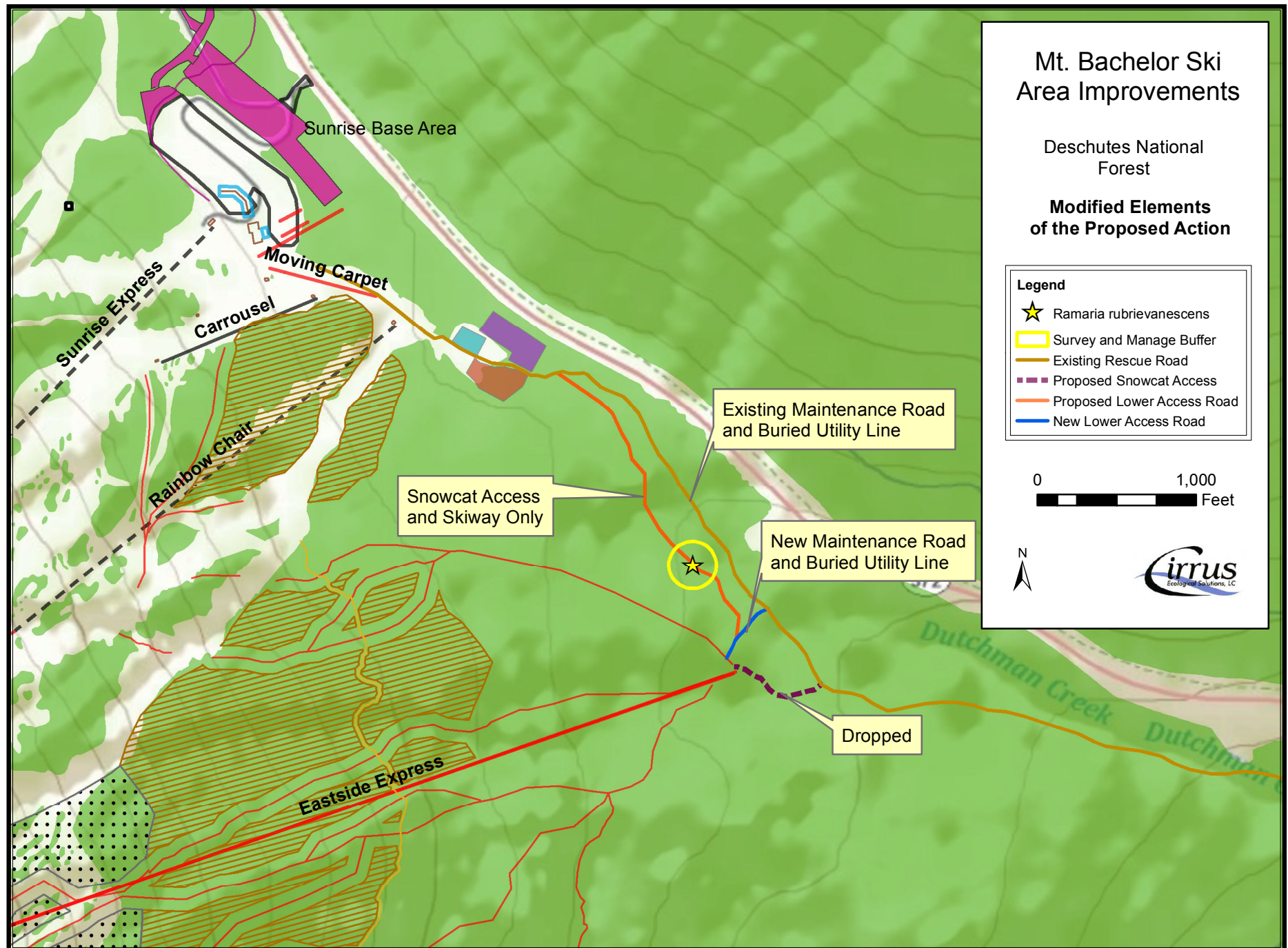


Figure C-1. Design criteria and mitigation measures to protect *Ramaria rubrievanescens* near the proposed Eastside Express lift terminal.